

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELEANOR J. KERRIGAN and)
SEAN J. KERRIGAN,)
a minor child, by his parent and next best)
friend, Eleanor J. Kerrigan)
)
Plaintiff,)
)
v.)
)
JOHN W. CURRAN,)
DIEBOLD, INC.,and CRAWFORD)
& COMPANY)
Defendants.)

C.A. No.: 04CV12133 RCL

JOINT MOTION TO AMEND SCHEDULING ORDER

All parties to this action hereby jointly move to amend the Scheduling Order for this case to extend by sixty (60) days each of the deadlines set forth in the Court's Scheduling Order.

In support of this motion, the parties state that they are exploring the possibility of settlement and, to this end, are scheduling a mediation conference. In order to be able to continue to focus their efforts on resolving this litigation without resorting to possibly unnecessary discovery and motion practice, the parties respectfully request that the Court extend the previously-set deadlines by sixty days. Accordingly, if the Court allows this Motion, the Amended Scheduling Order would provide that:

- All parties shall complete discovery by November 29, 2005.
- All Independent Medical Examinations shall be completed by December 29, 2005.
- The plaintiffs shall provide their expert witness disclosures by January 16, 2006.
- The defendants shall provide their expert witness disclosures by February 13, 2006.
- Dispositive motions shall be filed by March 20, 2006.
- Responses to dispositive motions shall be filed by April 3, 2006.

The stay of discovery with respect to Crawford & Company previously ordered by the Court shall remain in effect and will not be changed by the allowance of this Joint Motion.

WHEREFORE, the parties hereby respectfully request that this Honorable Court grant their Joint Motion to Amend the Scheduling Order as set forth above.

Respectfully submitted,

The Plaintiffs,
Eleanor J. Kerrigan,
and Sean Kerrigan,
By their Attorneys,



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